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PATENT
Attorney Docket No. 7067.0003-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard R. REISMAN

Appl. No.: 08/982,157

Filed: December 1, 1997

For: COMPUTER-IMPLEMENTED
TRANSPORT OF ELECTRONIC
INFORMATION OBJECTS



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Group Art Unit: 2756

Examiner: C. Yaun

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure and requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and supplemental to the Information Disclosure Statement of March 2, 1998, Applicant hereby brings the following information to the attention of the Examiner.

As indicated in the Information Disclosure Statement of March 2, 1998, the present application is a continuation application of U.S. Application No. 08/251,724, which was allowed and issued as U.S. Patent No. 5,697,546 on December 2, 1997. The parent application, U.S.S.N. 08/251,724 was filed in the U.S. Patent and Trademark Office on May 31, 1994. In addition to the present application, Applicant's companion application, U.S. Application Nos. 08/641,010, was filed on April 29, 1996, and claims priority to the parent application, U.S.S.N. 08/251,724. As further indicated

in the Information Disclosure Statement of March 2, 1998, U.S.S.N. 08/641,010 is a continuation-in-part (CIP) of the parent application, U.S.S.N. 08/251,724.

In order to complete the record, a summary of the references made of record during the prosecution of the parent application, U.S.S.N. 08/251,724 and the references presently made of record in the CIP application, U.S.S.N. 08/641,010 is provided below for the convenience of the Examiner.

I. PRIOR ART CITED IN PARENT APPLICATION U.S.S.N. 08/251,724

The following references were cited by the Applicant by way of the Information Disclosure Statements filed on April 11, 1995, and December 8, 1995:

- (1) "Head's Up Your Story Request," by Mike Langberg, San Jose Mercury News, CA, CD-ROM Column, Knight Ridder, Tribune Business News, File 10424154.800, April 24, 1994;
- (2) "CD-ROM's: They're Not Just for Entertainment," by Laurie Flynn, The New York Times, Sunday, April 24, 1994, page 10;
- (3) 1994 Intermediate Conference, San Jose, CA, March 1-3, 1994 (7 pages);
- (4) "Microsoft Complete Baseball" product brochure, Microsoft Corp. product announced March 1, 1994;
- (5) CompuServe Introductory Membership, CompuServe, Print Date December 1992;
- (6) "Plug and Play Making Add-In Cards Play Automatically," Intel Technology Briefing (4 pages);
- (7) Daily Federal Register, 1993, Counterpoint Publishing, Fall 1993;

- (8) The Federal Register, product brochure, Counterpoint Publishing, Fall 1993;
- (9) "Counterpoint's Compact Disk Federal Register" order form, Counterpoint Publishing;
- (10) "Code of Federal Regulations on CD-ROM," Counterpoint Publishing;
- (11) "Compact Disk of Federal Register" price list, Counterpoint Publishing, July 1, 1993;
- (12) "Microsoft Messaging Application Program Interface (MAPI)," created January 1993, Microsoft Corp;
- (13) "WOSA Backgrounder: Delivering Enterprise Services to the Windows-based Desktop," created July 1993, Microsoft Corp.;
- (14) "RemoteWare Software Licenses," fee list, Xcellenet, Inc., August 16, 1993;
- (15) "RemoteWare Server," product brochure, Xcellenet, Inc., 1992;
- (16) "RemoteWare Communications Management System," product brochure, Xcellenet, Inc.;
- (17) "RemoteWare Mail," product brochure, Xcellenet, Inc.;
- (18) "RemoteWare Documents," product brochure, Xcellenet, Inc., 1992;
- (19) "Remote Ware Reports," product brochure Xcellenet, Inc., 1992;
- (20) "Software Solution Helps Pull Satellite Offices into Network Environment," by Kathleen Doler, Investor's Business Daily, March 10, 1993, Vol. 9, No. 231;
- (21) "Simple MAPI," Microsoft Corp., 1993;

(22) The Frye Utilities For Networks, "Software Update and Distribution System," Frye Computer Systems, Inc., Copyright 1992, and

(23) U.S. Patent No. 5,220,501 (LAWLOR et al.)

The following references were cited and made of record by the Examiner during the prosecution of the parent application, U.S.S.N. 08/251,724 by way of the Office Action of March 20, 1996, and the Notice of Allowance of April 2, 1997:

(24) David Snyder, "The Poor Man's Mirror Script," 8 page printout of software documentation, November 30, 1984;

(25) Fitzpatrick et al., "Automatic Mirroring of the IRAF FTP and WWW Archives," Contents of WWW Web Site, <http://iraf.nano.edu:80/project/mirror/>, as of March 18, 1997;

(26) "Online Business Today Archives," Home Page Press, Inc., Contents of WWW Web Site, <http://www.hpp.com/s-clickshare95.html>, as of March 19, 1997;

(27) "Go-Get-It, INTERNET Personal Agent Thrills Net Users," NorthTech Software Inc., 1994, Contents of WWW Web Site, <http://www.hpp.com/gogetit.html>, as of March 19, 1997;

(28) "Mirror Applescript-Find Your Salvation with a Mirror Script for the Macintosh!," Jim Matthews, Contents of <http://www.darmouth.edu/pages/softdev/fetch.html>, as of March 18, 1997;

(29) "NetTerm-The Ultimate telnet experience!," InterSoft International, Inc., Contents of <http://starbase.neosoft.com/~zkrr01/netterm.html>, as of March 18, 1997;

(30) U.S. Patent No. 5,297,249 (BERNSTEIN et al.);

(31) U.S. Patent No. 4,935,870 (BURKE, Jr., et al.);

- (32) U.S. Patent No. 5,594,910 (FILIPPE et al.); and
- (33) The Frye Utilities for Networks, "Software Update and Distribution System," Frye Computer Systems, Inc., pp. 1-201, Copyright 1992.

Since copies of the above-noted documents should be available in the file of the parent application, U.S.S.N. 08/251,724, Applicant has not provided copies of these documents, as permitted under 37 C.F.R. § 1.98(d). However, if the Examiner is in need of additional copies of these documents, the Examiner is invited to contact the undersigned so that additional copies may be provided.

II. PRIOR ART CITED IN RELATED APPLICATION, U.S.S.N. 08/641,010

The following references were cited by the Applicant by way of an Information Disclosure Statement filed on December 9, 1997:

- (1) "Intermind Announces Approval of First Patent Application," Intermind Corporation Press Release, http://www.intermind.com/inside/press_rel/100797/allow.html, as of October 1997;
- (2) "About Intermind's Channel Communications Patents," Intermind's Patent Description, http://www.intermind.com/material/patent_desc.html;
- (3) "Frequently Asked Questions about Intermind's Patents," Intermind Corporation Patent FAQ, http://www.intermind.com/material/patent_faq.html; and
- (4) WO 97/32251 (INTERMIND), published on September 1, 1997.

The following reference was cited by the applicant via a Supplemental Information Disclosure Statement filed on January 12, 1998:

- (5) U.S. Patent No. 5,557,798 (SKEEN et al.).

The following references were cited and made of record by the Examiner in the Office Action of March 10, 1998:

- (6) U.S. Patent No. 4,974,149 (VALENTI);
- (7) U.S. Patent No. 5,544,320 (KONRAD);
- (8) U.S. Patent No. 5,606,493 (DUSCHER et al.);
- (9) U.S. Patent No. 5,530,852 (MESKE, Jr. et al.);
- (10) U.S. Patent No. 5,491,820 (BELOVE et al.);
- (11) U.S. Patent No. 5,406,557 (BAUDOIN);
- (12) U.S. Patent No. 5,680,617 (GOUGH et al.);
- (13) U.S. Patent No. 5,623,605 (KESHAV et al.);
- (14) U.S. Patent No. 5,491,800 (GOLDSMITH et al.);
- (15) U.S. Patent No. 5,572,643 (JUDSON);
- (16) U.S. Patent No. 5,539,735 (MOSKOWITZ);
- (17) U.S. Patent No. 5,694,549 (CARLIN et al.);
- (18) U.S. Patent No. 5,630,066 (GOSLING);
- (19) U.S. Patent No. 5,577,251 (HAMILTON et al.);
- (20) U.S. Patent No. 5,664,207 (CRUMPLER et al.);
- (21) U.S. Patent No. 5,421,009 (PLATT);
- (22) U.S. Patent No. 5,442,791 (WRABETZ et al.).

Lastly, the following documents were cited by the Applicant in a Supplemental Information Disclosure Statement filed on September 24, 1998;

- (1) "ProComm" Reference Manual, Datastorm Technologies, Inc., 1986;

- (15) CMP is First Technology Publisher to Deliver Web Content to the Desktop," CMP News, October 18, 1995;
- (16) "The Future of Audio CD's," Microsoft CD Plus Event Page, Microsoft Corp., December 4, 1995;
- (17) "Marketing via Teleshuttle," Letter from Richard Reisman to Lou Jordan dated May 22, 1995 with enclosure, "A Short White Paper on the Teleshuttle Solution," Teleshuttle, May 5, 1995;
- (18) "LinkStar Announces Site Launcher," LinkStar Communications Corporation, February 26, 1996;
- (19) "Frontier Technologies' CyberSearch 2.0 Internet Search Tool Now Works With Popular Browsers," Frontier Technologies Corporation, April 5, 1996;
- (20) "CyberSearch 2.0 Beta Manual," Frontier Technologies Corporation, April 5, 1996;
- (21) "CD Plus Technical Information," Microsoft CD Plus Event Page, Microsoft Corp., December 4, 1995;
- (22) "Open Market Announces New Desktop Software to Delivery Resources of the World Wide Web Directly to the User," OM-Express News Release, April 16, 1996;
- (23) "How to Publish an OM-Express Package," OM-Express Product Information, April 16, 1996;
- (24) "MarketScape WebCD 1.0 Bypasses Internet Bottlenecks," MarketScape Press Release, MarketScape, Inc., August 26, 1996;

(25) "Reality's Wealth Builder 3.0" User's Guide, Money Magazine, Reality Technologies, Inc., 1992;

(26) "Reality's Wealth Builder" Version 3.1 Supplement, Money Magazine, Reality Technologies, Inc., April 1993;

(27) "Aren't you glad you waited?," QmodemPro for Windows Advertisement, Mustang Software, Inc.; and

(28) "Xcellenet RemoteWare: Integrated Mobile Communications," Operations Automation Strategies Research Note, July 26, 1993.

Among the above-listed documents cited in the related CIP application, U.S.S.N. 08/641,010, U.S. Patent No. 5,557,798 (SKEEN et al.) was cited in the present application by way of the Information Disclosure Statement filed on March 2, 1998. As such, a copy of the SKEEN et al. reference is not enclosed herewith. However, Applicant has provided copies of the other noted documents cited in the related CIP application, U.S.S.N. 08/641,010. In addition, a completed copy of a PTO-1449 Form listing all of the documents cited in the parent application and the related CIP application is enclosed herewith for the Examiner's review.

III. ADDITIONAL CITED INFORMATION

In addition to the above-noted documents, Applicant also brings the following information to the attention of the Examiner in charge of the present application:

- (1) U.S. Patent No. 5,790,793 (HIGELY);
- (2) U.S. Patent No. 5,581,764 (FITZGERALD et al.);

(3) "About Marimba: A Word from Marimba's President and CEO, Kim Polese," Contents of WWW Web Site, http://www.marimba.com/about_executive_over.html as of November 17, 1998;

(4) "Marimba Products: Marimba's Castanet™: An Essential Part of Your E-Business Infrastructure," Content of WWW Web Site, <http://www.marimba.com/product/content/product.html> as of November 17, 1998;

(5) "Marimba Library," Contents of WWW Web Site, <http://www.marimba.com/datasheets/> as of November 17, 1998;

- (6) U.S. Patent No. 5,623,656 (LYONS);
- (7) U.S. Patent No. 5,586,311 (DAVIES et al.);
- (8) U.S. Patent No. 5,608,874 (OGAWA et al.);
- (9) U.S. Patent No. 5,596,720 (HAMADA et al.);
- (10) U.S. Patent No. 5,615,112 (LIU SHENG et al.);
- (11) U.S. Patent No. 5,560,012 (RYU et al.);
- (12) U.S. Patent No. 5,485,370 (MOSS et al.);
- (13) U.S. Patent No. 5,519,769 (WEINBERGER et al.);
- (14) U.S. Patent No. 5,257,369 (SKEEN et al.);
- (15) U.S. Patent No. 5,187,787 (SKEEN et al.);
- (16) U.S. Patent No. 5,680,548 (TRUGMAN);
- (17) U.S. Patent No. 4,815,030 (CROSS et al.);
- (18) U.S. Patent No. 5,528,490 (HILL);
- (19) U.S. Patent No. 5,761,649 (HILL);
- (20) U.S. Patent No. 5,646,992 (SUBLER et al.);

(21) U.S. Patent No. 5,768,528 (STUMM);

(22) Dow Jones News Service (DowVision™) Lecture Presentation Handout, lecture presented by Charles I. Brady at the Wall Street Workstation Conference, New York City, NY, October 11-12, 1989; and

(23) Lecture Presentation Notes on the Folio World-Wide-Web Retriever 3.1, presented by Jeff Gammon at the Infobase '95 Conference, Copyright 1995.

With respect to item (22), Applicant notes that at the '89 conference it was disclosed that the DowVision™ feed is based on a data structure that provides coding of data and information about the data (metadata) that is needed for receiving the data, as well as for storing, filtering and searching the data.

Applicant notes that HIGLEY, LYONS, OGAWA et al., CRUMPLER et al., and TRUGMAN and STUMM are not prior art with respect to the present application, since these patents have an effective filing date that is after the priority date of the parent application, U.S.S.N. 08/251,724 (*i.e.*, May 31, 1994). In addition, the information relating to Marimba's products also does not appear to be prior art with respect to the present application, since Marimba was not founded until 1996. Other documents and information cited in this information disclosure statement, such as the 1995 Conference Notes on the Folio World-Wide-Web Retriever, also do not appear to be prior art since they are dated after the priority date of the parent application. In any event, copies of these documents as well as the other cited U.S. Patents are enclosed herewith for the Examiner's review. These documents are cited on the PTO-1449 Form along with the other noted documents.

In view of the foregoing, the Examiner is requested to consider and review each of the references listed on the enclosed PTO-1449 Form and to return an initialed copy of the same to the Applicant in the next official communication. In addition, the Examiner is invited to obtain review of the file histories of the parent application, U.S.S.N. 08/251,724 and the related CIP application, U.S.S.N. 08/641,010 and to consider all of the relevant information therein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant(s) determine(s) that the cited document(s) do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

By: 

C. Gregory Gramenopoulos
Reg. No. 36,532

Date: December 23, 1998